

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

# February 19, 1999

## DIVISION ONE

B122216 People (Not for Publication)  
v.  
Benton

The judgment is affirmed.

Dunn, J. (Assigned)

We concur: Spencer, P.J.  
Ortega, J.

## DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., and Jim Guzman, Deputy Clerk.

Each of the following:

B121054 People v. Gonzalez  
B122003 People v. Williams  
B124770 D.C.F.S v. Suetoyrue P.  
B123013 D.C.F.S. v. Sharon  
B119463 People v. Gonzalez  
B121845 People v. Mallory  
B119961 People v. Tillman  
B114861 People v. Hooper  
B121513 People v. Pagnetti

Argument waived, cause submitted.

DIVISION FOUR (Continued)

B119818     Zano  
              v.  
              G & L Partnership

Merits:  
Argued by John J. Perlstein for respondent and a waiver of oral argument having been received by Nicholas Tepper for appellant. Cause submitted.

B114882     Sentech Electronics  
              v.  
              Bason Computers

Merits:  
Argued by Mark Anthony Rodriguez for appellants and by Edward R. Brown for respondent. Cause submitted.

B119292     People  
              v.  
              Hansbrough

Merits:  
Argued by Elizabeth A. Missakian for appellant and by Paul C. Ament for respondent. Cause submitted.

B121534     Winder  
              v.  
              Perry Johnson Inc.

Merits:  
Argued by Rae Lamothe for appellant and by Henry J. Josefsberg for respondent. Cause submitted.

B119111     People  
              v.  
              Acosta

Merits:  
Argued by Judy Weissberg-Ortiz for appellant and by David L. Polsky for respondent. Cause submitted.

DIVISION FOUR (Continued)

B126913     Millsap  
              v.  
              S.C.L.A.  
              (People, r.p.i.)

Merits:  
Argued by Leo B. Newton for appellant and by Brent Riggs for respondent.  
Cause submitted.

B116033     Jergins  
              v.  
              Strong

Merits:  
Argued by E.W. Sheridan for appellant and by John Dutton for respondent.  
Cause submitted.

B115919     Berberian  
              v.  
              Alexandria Convalescent Hospital

Merits:  
Argued by Stephen B. Monroe for appellant and by Thomas Brill for  
respondent. Cause submitted.

B111812     Urcinoli  
              v.  
              State Farm Mutual Automoble Ins. Co.

Merits:  
Argued by Steven B. Berlin for appellant and by Mervyn H. Wolf for  
respondent. Cause submitted.

DIVISION FOUR (Continued)

B120655     Hernandez  
              v.  
              L.A.CO. Sheriffs Department

Merits:  
Argued by Jacque Boyle for appellant and by Chandra G. Spencer and  
Megan Richmond for respondents. Cause submitted.

B116963     City of Pasadena  
              v.  
              Mirador Ranch

Merits:  
Argued by Cassondra L. Williams for appellant and by F. Glenn Nichols for  
respondent. Cause submitted.

Court in recess.

The Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J., and Jim Guzman, Deputy  
Clerk.

B116960     People  
              v.  
              Lavaie

Merits:  
Argued by David L. Bernstein for appellant and by Peggie J. Bradford for  
respondent. Cause submitted.

B125173     D.C.F.S.  
              v.  
              Francis L.

Merits:  
Argued by Francis L., appellant in propria persona and by Patrick D.  
Goodman for respondent. Cause submitted.

DIVISION FOUR (Continued)

B120078     MacGillivray  
               v.  
               Board of Retirement Association

Merits:  
Argued by Thomas J. Wicke for appellant and by Benjamin C. Franklin for respondent. Cause submitted.

B118329     Haney  
               v.  
               Board of Civil Service Commissioners

Merits:  
Argued by Bennett Rolfe for appellant and by Gregory P. Orland for respondent. Cause submitted.

B120628     Wetzel  
               v.  
               Vons Companies

Merits:  
Argued by Dennis J. Hershewe for appellant and by Ronald S. Whitaker for respondent. Cause submitted.

B107681     CBS Inc.  
               v.  
               Fireman's Fund Insurance Co.

Merits:  
Argued by Jonathan D. Avila for appellant and by Bruce M. Warren for respondent. Cause submitted.

Court adjourned.

DIVISION FIVE

[illegible]

The judgment is modified to impose a \$200 restitution fine pursuant to Penal Code section 1202.45, a \$50 criminal laboratory analysis fee pursuant to Health and Safety Code section 11372.5, subdivision (a) and penalty assessments of \$50 pursuant to Penal Code section 1464 and \$35 as required by Government Code section 76000. The judgment is further modified to reflect 461 days of actual presentence custody plus 230 days of conduct credit for a total of 691 days of presentence custody credit. In all other respects, the judgment is affirmed. On remand, the clerk of the superior court is directed to prepare and deliver to the Department of Corrections an amended abstract of judgment which sets forth: presentence credits of 461 actual days, and 230 days of conduct credit, for a total of 691 days; both \$200 restitution fines imposed against defendant pursuant to Penal Code sections 1202.4, subdivision (b), and 1202.45; the \$50 criminal laboratory analysis fee imposed pursuant to Health and Safety Code section 11327.5, subdivision (a); and the \$50 and \$35 penalty assessments imposed pursuant to Penal Code section 1464 and Government Code section 76000 respectively.

Turner, P.J.

We concur: Grignon, J.  
Godoy Perez, J.

## DIVISION SIX

B117835      Beck-Moskowitz      (Not for Publication)  
v.  
The Thacher School

The judgment is affirmed. Costs to respondent.

Coffee, J.

We concur:    Gilbert, Acting P.J.  
                         Yegan, J.

DIVISION SIX (Continued)

B119655     People  
              v.  
             John V.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)